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LABOUR & E.S.I. DEPARTMENT

NOTIFICATION

The 8th April 2025

S.R.O. No. 215/2025—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award dated the 17th March 2025 passed in the I.D. Case No. 32 of 2024 by the Presiding Officer, Labour Court, Bhubaneswar to whom the industrial dispute between the Proprietor, M/s S.K.Dalai, At Arakhia, P.O. Balia, Kujanga, Jagatsinghpur, 2. M/s Laxminarayan Traders, At Nimidhi, P.O./P.S. Paradeep, Dist. Jagatsinghpur, 3. M/s Oxybee Solution Pvt. Ltd., At G-U3, Rock Enclave, Opp. Joy Ice Factory, Chakop Kandivali (W), Mumbai-400067, 4. M/s Rand Stad, At Space No. d.c.b. 412, Fourth Floor. dlr. Cyber City, Patia. Chandaka Industrial Estate, Sekharpur, Bhubaneswar-751024, Dist. Khurda, 5. The Management, M/s Kals Breweries Pvt. Ltd., At East Coast Breweries Unit, Paradeep, Dist. Jagatsinghpur, 6. M/s Anheuser Busch InBev India Ltd., At 6th Floor, Green Heart Building, MFAR Manyata Tech Park Phase-IV, Nagvara Bengaluru, Karnataka-560045, 7. M/s Anheuser Busch InBev India Ltd., 301/302, Dynasty Business Park, 13 Wing, Andheri, Kurla Road, Andheri(E), Mumbai, Maharashtra-400059 and M/s East Coast Breweries Employees Union, At East Coast Breweries Unit, At Bijayachandrapur, Atharabanki, Paradeep, Dist. Jagatsinghpur-754120 was referred for adjudication is hereby published in the schedule below :—

SCHEDULE

IN THE LABOUR COURT, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 32 of 2024

Dated the 17th March 2025

Present :

Smt. Meenakshee Priyadarshinee
Presiding Officer, Labour Court,
Bhubaneswar.

Between :

1. The Proprietor,
M/s S.K. Dalai,
At Arakhia, P.O. Balia,
Kujanga, Jagatsinghpur.

. . First Party—Managements

2. M/s Laxminarayan Traders,
At Nimidhi,
P.O./P.S. Paradeep,
Dist. Jagatsinghpur.
3. M/s Oxybee Solution Pvt. Ltd.,
At G-U3, Rock Enclave,
Opp. Joy Ice Factory,
Chakop Kandivali (W),
Mumbai-400067.
4. M/s Rand Stand,
At Space No. d.c.b. 412,
Fourth Floor. dlr. Cyber City,
Patia, Chandaka Industrial Estate,
Sekharpur, Bhubaneswar-751024,
Dist. Khurda.
5. The Management,
M/s Kals Breweries Pvt. Ltd.,
At East Coast Breweries Unit,
Paradeep, Dist. Jagatsinghpur.
6. M/s Anheuser Busch InBev India Ltd.,
At 6th Floor, Green Heart Building,
MFAR Manyata Tech Park Phase-IV,
Nagvara Bengalure, Karnataka-560045.
7. M/s Anheuser Busch InBev India Ltd.,
301/302, Dynasty Business Park,
13 Wing, Andheri, Kurla Road,
Andheri(E), Mumbai,
Maharashtra- 400059.

And

M/s East Coast Breweries Employees Union, . . . Second Party—Workman
At East Coast Breweries Unit,
At Bijayachandrapur, Atharabanki,
Paradeep, Dist. Jagatsinghpur-754120.

Appearances :

None	. . . For the First Party—Managements
None	. . . For the Second Party—Workman

AWARD

The Government of Odisha in the Labour & E.S.I. Department in exercise of powers conferred upon it by sub-section (5) of Section 12 read with Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Court vide their Memo. No. 8642/LESI, dated the 3rd October 2024 :—

“Whether refusal of employment of (1) Shri Sudhir Kumar Malla and 61 others (as per Annexure-A) by M/s S.k. Dalai, (2) Shri Naresh Nayak and 13 others (as per Annexure-B) by M/s Laxminarayan Traders, (3) Shri Gourahari Bai and 2 others (as per Annexure-C) by M/s Oxybee Solution Pvt. Ltd. and (4) Shri Ranjan Kumar

Swain and 2 others (As per Annexure-D) by M/s Rand Stad, sub-contractors of contractor M/s Anheuser Busch InBev India Ltd. (now taken over by M/s Kals Breweries Pvt. Ltd.), under the Management of M/s East Cost Breweries Unit, Paradeep w.e.f. the 24th March 2020 is legal and/or justified ? If no, what relief the concerned workmen as per Annexure-A to D respectively are entitled to ?

2. On close scrutiny of the case record, it is found that after receipt of the above dispute from the appropriate Govt., notice was issued to the second party union for filing of statement of claim through post vide this Office Letter No. SS79, dated the 15th January 2025. But, the second party union neither appeared nor filed their statement of claim. It is further found that the copy of the above reference was also issued to the second party union by the Govt. in Labour & E.S.I. Department vide their Memo. No. 8644, dated the 3rd October 2024 with a direction to file complete statement of claim with relevant documents, list of documents and witnesses before this Court within 15 days of the receipt of the order of reference. It is also revealed from the case record that on dated the 12th November 2024 this Court has received the above reference from the appropriate Govt. and meanwhile more than three months have already been passed, but the second party union neither appeared nor filed their statement of claim despite notice of this Court. So, it can be presumed that the second party union is not interested to proceed with this case.

Thus, in absence of pleading from the side of the second party union and evidence on record, it is not possible to answer the reference in any manner. Considering the above facts and circumstances, this Court is constrained to pass a 'No Dispute Award' in this case. Accordingly, a 'No Dispute Award' is passed insofar as the present reference is concerned.

Dictated and corrected by me.

MEENAKSHEE PRIYADARSHINEE

17-03-2025

Presiding Officer

Labour Court, Bhubaneswar

MEENAKSHEE PRIYADARSHINEE

17-03-2025

Presiding Officer

Labour Court, Bhubaneswar

[No. 3436—LESI-IR-ID-0013/2023-LESI.]

By order of the Governor

MADHUMITA NAYAK

Additional Secretary to Government